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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

EXAMINER

NARAYANASWAMY, SINDYA

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 02/25/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/533,468

Applicant(s)

JUSTER ET AL.

Examiner

Sindya Narayanaswamy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 16 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-9, 12-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter AAPA) in view of Dyson et al, US- 6,269,399.
4. As per claim 1, AAPA teach the invention substantially as claimed including a computer-implemented method comprising: sending a first request to create a local queue by an application of a client from a function of the client to a server and creating the local queue when determined by the server that the user has permission (Specification, page 1, lines 17- page 2 line 2).
5. AAPA do not specifically teach the method of sending second requests to a service having permission to create local queues and the method of the service determined that the 2nd request originated locally, calling the server by the service to create local queues.

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6. Dyson et al teach the method of sending second requests to a service having permission to create local queues and when the service determined that the 2nd request originated locally (22, Fig. 1), calling the server by the service to create local queues (30, Fig. 1) (Fig. 3A). It would have been obvious to one of ordinary skill in the art to combine the teaching of AAPA and Dyson et al because Dyson et al's method of creating local queues increases the managerial duties of the client-side of the system. One of ordinary skill in the art would have been motivated to do because it allows for greater user and client control.

7. As per claim 2, AAPA teach the method of using only user-level security (page 2, lines 3-11).

8. As per claim 3, Dyson et al teach the method wherein the service, by calling the server only upon determining that the second request originated locally provides for local-level security (secure routing) (col. 1, lines 60-67).

9. As per claim 4, Dyson et al teach the method comprising of a transactional message service (col. 1, lines 28-34).

10. As per claim 6, Dyson et al teach the method where the service is running on the client (22, 30, Fig. 1).

11. As per claim 7, AAPA does not teach the method wherein the user by default lacks permission to create local queues. However, it would have obvious to one of ordinary skill in the

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art to incorporate the default setting for the user to have no permission to create local queues.

One with ordinary skill in the art would have been motivated to do so in order to improve security.

12. As per claim 13, Dyson et al teach the system wherein the client further comprises a computer-readable medium and a processor, such that at least one of the application program, the function, and the service is executed by the processor from the medium (20, Fig. 1) (col. 8, lines 34-44).

13. As per claims 11 and 16, they are the machine-readable claims and computerized system claims of claim 7, and are rejected under the same reasoning as claims 7.

14. As per claims 8, 9, 12 and 14 they are the machine-readable claims and computerized system claims of claims 1-3 and are rejected under the same reasoning as claims 1-3.

15. Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter AAPA) in view of Dyson et al, US-6,269,399, further in view of Blount et al – US-6,070,184.

16. As per claim 5, Blount et al teach the method wherein the function is accessed by the application via an application programming interface (HTML forms) of the function (col. 16, lines 44-57). It would have been obvious to one ordinary skill in the art at the time to incorporate the teachings of AAPA and Dyson et al with the teachings of Blount et al because Blount et al's

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method of using an API improves the usability of the method. One of ordinary skill in the art at the time would have been motivated to do so because it would allow for users to navigate the system with ease.

17. As per claims 10, Dyson et al teach the service comprising of a transactional message service (col. 1, lines 28-34). Dyson et al do not teach the service comprising a transactional message service.

18. However, Blount et al teach the method wherein the function is accessed by the application via an application programming interface (HTML forms) of the function (col. 16, lines 44-57). It would have been obvious to one ordinary skill in the art at the time to incorporate the teachings of AAPA and Dyson et al with the teachings of Blount et al because Blount et al's method of using an API improves the usability of the method. One of ordinary skill in the art at the time would have been motivated to do so because it would allow for users to navigate the system with ease.

19. As per claims 15, it is the computerized system claims of claim 10, and is rejected under the same reasoning as claim 10.

Response to Argument

1. Applicant's arguments for claims 1-16 filed on 11/20/03 have been considered but are not persuasive.

2. In the remarks, applicant argued in substance that:

(1) Unlike the prior art of record, Applicant's invention provides for local based security such that queues are only created on the client on which the service is itself running and only in response to requests to create queues that originate from within the client such as from the application program. (ie, the Dyson patent does not extend to the conditional creation of queues required by the claims).

3. Examiner respectfully traverses Applicant's remarks:

As to point (1), Applicant has admitted (on both pages 3 and 4) that, the Dyson patent may suggest creating the queues in the patent since the queues must be created before they can be used. The Examiner would like to further cite that the concept of creating queues is explicitly disclosed in the AAPA (Specification, page 1, lines 17-page 2, line 2). The particular instance of creating a queue on a conditional basis also exists in the Dyson patent. For example, in a specific circumstance (col. 6, lines 20-31), the first and second queues are instantiated on a need-only basis in order for communication to occur. Examiner argues that while the space allocation for the queues existed previously, the creation of the queue itself is a dynamic process, as it is in the claimed invention.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**


MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sindya Narayanaswamy whose telephone number is (703) 305-8473. The examiner can normally be reached on 8 am to 5 pm, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sindya Narayanaswamy


KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100